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11 Attorneys for Plaintiff
12 United States of America

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14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,
18 Plaintiff,
19 v.
20 RICHARD BELDON WATERS III,
21 Defendant.

22 CASE NO. 2:20-MJ-0174-KJN
23 STIPULATION FOR EXTENSION OF TIME FOR
24 PRELIMINARY HEARING PURSUANT TO RULE
25 5.1(D) AND EXCLUSION OF TIME AND
26 [PROPOSED] FINDINGS AND ORDER
27 DATE: July 16, 2021
28 TIME: 2:00 p.m.
COURT: Hon. Carolyn K. Delaney

29 Plaintiff United States of America, by and through its attorney of record, Special Assistant U.S.
30 Attorney ROBERT J. ARTUZ, and Defendant RICHARD BELDON WATERS III, both individually
31 and by and through his counsel of record, JENNIFER MOUZIS, hereby stipulate as follows:

32 1. The Complaint in this case was filed on November 6, 2020, charging Waters with one
33 count of conspiracy to commit offenses against the United States, in violation of 18 U.S.C. § 371.
34 Waters first appeared before a judicial officer of the Northern District of California on or about
35 December 17, 2020, and was detained. He then first appeared in this district on April 13, 2021, where
36 the Complaint is pending. The Court set a preliminary hearing date of April 27, 2021. ECF 21. By
37 stipulation and Court order, the preliminary hearing date was continued to May 28, 2021, and again to
38 July 16, 2021.

39 By this stipulation, the parties jointly move for a third extension of time of the preliminary
40 hearing date to August 20, 2021, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d)

1 of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the
2 defense reasonable time for preparation, and for the government's collection and production of
3 discovery and continuing investigation of the case. For example, the government has produced
4 discovery relevant to this case, including over 1,000 pages of law enforcement reports, bank records,
5 photographs, and criminal histories. The government has also produced multiple gigabytes of documents
6 from at least two data extractions of the defendant and his co-defendant's smartphones, which are also
7 available to defense counsel for inspection. Defense counsel needs time to review and consider all the
8 evidence and to conduct further investigation. The parties further agree that the interests of justice
9 served by granting this continuance outweigh the best interests of the public and the defendant in a
10 speedy trial. 18 U.S.C. § 3161(h)(7)(A).

11 2. The parties agree that good cause exists for the extension of time, and that the extension
12 of time would not adversely affect the public interest in the prompt disposition of criminal cases.
13 Therefore, the parties request that the time between July 16, 2021, and August 20, 2021, be excluded
14 pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

15 IT IS SO STIPULATED.

16 Dated: July 14, 2021

PHILLIP A. TALBERT
Acting United States Attorney

18 _____
19 /s/ ROBERT J. ARTUZ
ROBERT J. ARTUZ
20 Special Assistant U.S. Attorney

21 Dated: July 14, 2021

22 _____
23 /s/ Jennifer Mouzis
JENNIFER MOUZIS
Counsel for Defendant
24 RICHARD BELDON WATERS III

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14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,

CASE NO. 2:20-MJ-0174-KJN

17 Plaintiff,

FINDINGS AND ORDER EXTENDING TIME FOR
18 PRELIMINARY HEARING PURSUANT TO RULE
19 5.1(d) AND EXCLUDING TIME

20 RICHARD BELDON WATERS III,

DATE: July 16, 2021

21 v.
22 Defendant.

TIME: 2:00 p.m.

COURT: Hon. Carolyn K. Delaney

23 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing
24 Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on July 14, 2021. The
25 Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,
demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule
5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests
of justice served by granting this continuance outweigh the best interests of the public and the defendant
in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would
not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The date of the preliminary hearing is extended to August 20, 2021, at 2:00 p.m.

1 2. The time between July 16, 2021, and August 20, 2021, shall be excluded from calculation
2 pursuant to 18 U.S.C. § 3161(h)(7)(A).

3 3. Defendants shall appear at that date and time before the Magistrate Judge on duty.

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5 IT IS SO ORDERED.

6 Dated: July 14, 2021

Carey K. Delaney

7 CAROLYN K. DELANEY
8 UNITED STATES MAGISTRATE JUDGE

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